

**Chadds Ford Township Board of Supervisors Meeting  
February 6, 2008  
M I N U T E S**

**OFFICIALS PRESENT:** George M. Thorpe, Chairman  
Deborah Love D'Elia, Vice-Chairman  
Garry Paul, Supervisor  
Hugh A. Donaghue, Township Solicitor  
Joseph A. Mastronardo, Township Engineer  
Richard J. Jensen, Building Inspector/CEO  
Maryann D. Furlong, Secretary/Treasurer

**CALL TO ORDER**

The meeting was called to order at 7:42 PM with the reciting of the Pledge of Allegiance. Mr. Thorpe pointed out emergency exits and welcomed those present.

**STATE POLICE REPORT**

Mr. Thorpe announced the appointment of Paul Gustaitis as new station commander at the Media Barracks of the Pennsylvania State Police.

**MOTION TO APPROVE BOARD OF SUPERVISORS MINUTES OF DECEMBER 4, 2007**

Upon motion and second (Paul, Thorpe), the Supervisors approved minutes of the December 4, 2007 meeting.

The Supervisors congratulated Jill Egan, Webb Road, who was appointed Township Auditor to replace Valerie Hoxter with a term to run through 12/31/2009.

**MOTION TO APPROVE BOARD OF SUPERVISORS MINUTES OF JANUARY 7, 2008**

Upon motion and second (Paul, Thorpe), the Supervisors approved minutes of the January 7, 2008 meeting.

**SUPERVISORS REPORT**

On January 16, 2008, Mrs. Love D'Elia and Mr. Paul met with Joe Grace and his two sons regarding sewer tapping fees and future land development of certain properties in the Township.

Earlier this evening Supervisors met to discuss litigation.

Mr. Paul spoke regarding the possible cutting of a large portion of land on Heyburn Rd by PECO. Mr. Paul ask the Township Solicitor to contact PECO representatives and request they not proceed until the Supervisors have a chance to review a preliminary environmental impact study being prepared by Pennoni Associates. Mr. Paul will also ask the Brandywine Conservancy, in their role as a Township consultant, to take a preliminary look at a the area and advise of potential problems that a cutting would cause.

Updates were given on the Twin Bridges project and Beaver Dam Road. State Representative Stephen E. Barrar has introduced legislation to have PennDOT adopt the road.

Mrs. Love D'Elia is seeking candidates for a Health Inspector position for the purpose of inspecting Township restaurants.

**TREASURER'S REPORT**

Mrs. Furlong reported the following figures as of January 2008:

Total deposits to General Fund	\$	80,816.86
Total disbursements General Fund	\$	126,296.24
Cash Accounts Balances	\$	2,164,811.46
Escrow Disbursements	\$	8,950.00

### **MOTION TO APPROVE TREASURER'S REPORT**

Upon motion and second (Thorpe, Paul), Supervisors approved the Treasurer's Report for January 2008 and authorized payment of bills in the amount of \$126,296.24.

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### **FIRE MARSHALL REPORT**

No report was available.

### **ROADMASTER'S REPORT/EMERGENCY PREPAREDNESS**

Joe Barakat, Roadmaster, presented a report for the month of January, 2008 (copy follows).

### **SPECIAL PRESENTATION – NICOLE WILSON, DELAWARE COUNTY SPCA**

Ms. Wilson reviewed procedures for animal control services within the Township as covered by the recently authorized contract with the SPCA. Questions were addressed and contact information will be posted on the website.

### **EMERGENCY PREPAREDNESS**

Mr. Barakat announced completion of a first draft of the Emergency Plan and suggested a number of new members for the Emergency Preparedness Committee. Mr. Thorpe asked the names be submitted in writing.

### **TOWNSHIP ENGINEER REPORT**

Mr. Mastronardo reviewed activities during January, 2008 (report follows).

Regarding the Heyburn Road issue, Mr. Mastronardo contacted the Delaware County Conservation District and was advised the District will require PECO to acquire special permitting before any clearing begins. Mr. Mastronardo also contacted PECO Government representative Ralph Brown, who will have someone from PECO's environmental department on site Monday to walk the property.

### **BUILDING INSPECTOR/CODE ENFORCEMENT OFFICER**

Mr. Jensen submitted a written report and accompanying checks for the month of January.

The Ming Village case was continued again.

Mrs. Love D'Elia asked if the Township has a list of current businesses. Mr. Jensen replied that there is not and although Township ordinances require a Certificate of

Occupancy when there is a change of use, occupancy or name, many changes occur without anyone notifying him.

The owner of Fisher Carpet will be contacted regarding removal of temporary signs.

## **PLANNING COMMISSION**

Chairman William Taylor reviewed a draft of minutes from the meeting of Wednesday, January 9, 2008 (draft follows).

Mr. Taylor responded to questions from the Supervisors regarding concerns from neighbors of the 51 Woodland Drive project.

## **ZONING HEARING BOARD**

Mrs. Love D'Elia reported there were no zoning applications for review during January. A new application was received for signage at the Sylvan Pool sight on Route 202. The Supervisors will not send the Township solicitor to oppose the application.

## **HARB**

No applications were pending, thus the HARB Board did not meet in January. The 681 Webb Road application will be heard on February 11, 2008. HARB members will view the sight at some point prior to the meeting.

## **SEWER AUTHORITY**

Mr. Klaver presented the monthly report for the Sewer Authority (copy follows). The Supervisors thanked Mr. Klaver for his efforts in securing PennVEST loan approval.

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## **OPEN SPACE COMMITTEE**

Debbie Reardon, Chair, reported on the Open Space meeting of January 10<sup>th</sup> (copy follows).

Mr. Thorpe asked if Mrs. Saunders would be willing to continue representing the Open Space Committee on the Comprehensive Plan Task Force as a non-voting member. Mrs. Saunders agreed.

## **FEE-IN-LIEU ORDINANCE**

Mr. Donaghue distributed a draft Fee-In-Lieu Ordinance and asked for comments from the Supervisors, Township Engineer and Open Space Committee at least ten days prior to the March Board meeting. Mr. Donaghue and Mr. Mastronardo commented on several specific requirements of the proposed ordinance.

Mr. Paul asked Mrs. Reardon to also provide written comments on the Heyburn Road issue, especially regarding vistas and woodlands issue.

Mrs. Love D'Elia suggested representatives from Opdenaker Trash Haulers be asked to speak at the next Board meeting to explain their curbside recycling program. Mrs. Furlong will make the arrangements.

## **PUBLIC COMMENT**

Bruce Prabel, Heyburn Road thanked Township officials and Open Space committee members for taking the time to walk his property. PECO has tagged trees for removal with the unofficial count in excess of 350 trees on just over three acres.

## **OLD BUSINESS**

There were no agenda items.

## **NEW BUSINESS**

### **BRANDYWINE SUMMIT PHASE II LAND DEVELOPMENT APPLICATION**

Mike Lyons, Esquire and Kevin M. Matson, PE, Kelly & Close, sought Board approval of the preliminary/final land development application for the property located on Route 202 just south of Summit Drive, tax folio number 04-00000321-04. The proposed expansion includes construction of 22 office units in four carriage house style buildings, extension of the existing parking area and various other improvements.

The applicant will install a pedestrian walkway to the adjoining property line. There was discussion of tree removal in response to a question from Mrs. Van Horn, Longwood Drive, and additional screening of the big parking area. After discussion it was agreed to supplement buffering along the Route 202 border of the easternmost parking area with approximately fifteen (15) shrubs.

As an aside, Mr. Jensen informed Mr. Stackeni that emergency lights weren't working properly in the current Building 5.

### **MOTION TO APPROVE BRANDYWINE SUMMIT PHASE II LAND DEVELOPMENT APPLICATION RESOLUTION 2008-7**

Upon motion and second (Paul, Love D'Elia), the Board of Supervisors approved the land development application for Brandywine Summit Phase II, subject to resolution of the seven (7) conditions and one (1) waiver as contained therein.

### **SHA-NIC v. CHADDS FORD TOWNSHIP SETTLEMENT**

Mr. Donaghue announced that pursuant to discussion at an executive session earlier this evening, the Supervisors were prepared to vote on a proposed settlement agreement in the matter of Sha-Nic v. Chadds Ford Township.

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**MOTION TO APPROVE SETTLEMENT AGREEMENT – SHA-NIC v. CHADDS FORD TOWNSHIP**

Upon motion and second (Thorpe, Love D’Elia), the Board of Supervisors approved a settlement agreement in the amount of \$10,000.00 and mutual release in the matter of Sha-Nic v. Chadds Ford Township.

**NATIONAL ENGINEER WEEK PROCLAMATION/RESOLUTION 2008-8**

Upon motion and second (Love D’Elia, Paul), Board members a proclaimed February 15<sup>th</sup> through 23<sup>rd</sup> to be National Engineers Week in Chadds Ford Township.

**ESCROW RELEASES**

Upon motion and second (Thorpe, Paul), the Supervisors approved release of the following escrows, contingent upon payment of all outstanding expenses:

APPLICANT/TWP AMOUNT	ESCROW TYPE	ESCROW AMOUNT	CHECK
Megill Homes Chadds Ford Twp. 609.00	UCC Appeal Reimbursement for expenses Megill Homes UCC Appeal	\$ 900.00	\$ 291.00  \$
Bryan Hoffman \$1200.00	SD/LD	\$ 1200.00	
Tracy & Brian Fuchs 800.00	Grading	\$ 800.00	\$
Kevin Weinstock 800.00	Grading	\$ 800.00	\$
Saul Ewing/T-Mobile 515.29 Chadds Ford Twp.	Conditional Use Reimbursement for expenses T-Mobile Conditional Use	\$ 3600.00	\$  \$
3084.71 Saul Ewing/Dr. Gray 476.32 Chadds Ford Twp.	ZHB Reimbursement for expenses Saul Ewing/Dr. Gray	\$ 900.00	\$  \$
423.68 Waterbury Construction 484.50 Chadds Ford Twp.	ZHB Reimbursement for expenses Waterbury Construction	\$ 750.00	\$  \$
265.50			

There being no further business, the regular meeting of the Board of Supervisors was adjourned at 9:27 PM.

Respectfully submitted,

MARYANN D. FURLONG  
Township Secretary